



May 24, 2018

PATRICK D. KENNEALLY
STATE'S ATTORNEY

Carole Ruzicka
DCFS
8 East Galena Blvd. #301
Aurora, IL 60506

RE: Concerns with DCFS

Dear Ms. Ruzicka:

I am writing to express my concern over shortcomings we have encountered while working with DCFS in McHenry County. While normally reticent to write letters of this type, our Office has attempted over the last several months to express our concerns directly to DCFS staff. These efforts have been unsuccessful as we believe DCFS administration has not been sufficiently responsive. Below are a few cases that illustrate our ongoing concerns.

[REDACTED]

In 2016, [REDACTED] indicated the A sequence. In his Contact Note, [REDACTED] reported that the 11 year-old of [REDACTED] provided a "credible" statement that [REDACTED] was using heroin in the home. [REDACTED] concluded, without any input from our Office, that there was not "sufficient evidence to warrant more aggressive action." As such, nothing was done.

The B sequence was not indicated and no referral was made. The C sequence on [REDACTED] 2018 was indicated after DCFS learned that two of [REDACTED] children had discovered heroin and needles in the home. However and again, no referral was made to the State's Attorney's Office.

On [REDACTED] 2018, [REDACTED] infant overdosed on heroin he found in the home while in the presence of [REDACTED] and the infant's father. The infant was revived after four Narcan shots and stabilized in the hospital after receiving a Narcan drip.

[REDACTED]

In this case, the defendant was charged with Child Endangerment after he was involved in a road rage incident while his son was in the car. According to the report [REDACTED] interviewed the child regarding the incident. The child indicated that his dad was driving the car, pulled out a gun, and pointed it at the car next to them. The father was charged with aggravated assault. Pursuant to 725 ILCS 115-10, the State filed a motion in the criminal case to introduce the statements made by the child to [REDACTED]. A hearing on the State's motion, which would require [REDACTED] to briefly testify, was set. When the assistant state's attorney handling the case attempted to reach out to [REDACTED] for scheduling purposes, [REDACTED] insisted that the child's statement, clearly set forth in her report, was not her report. [REDACTED] then stated that she never spoke to the child. After the assistant state's attorney read her the report, she said that she was just covering for someone else on that day and, to paraphrase, "this is what she gets for doing someone a favor."

[REDACTED], a Supervisor in my Office, contacted DCFS on this matter and was assured of [REDACTED] cooperation. Prior to the hearing, [REDACTED] was again contacted about her appearance for the hearing and told the assistant state's attorney handling the case that she would be unavailable due the fact that she would be "washing her hair." We were forced to subpoena [REDACTED] for the hearing on February 23, 2018. At the hearing, [REDACTED] maintained a hostile attitude toward the assistant state's attorney and lamented the fact that she had to testify on "someone else's case." Her lack of preparation was evidenced by the fact that, at the hearing, she could not answer simple questions about what the child said to her, where the conversation with the child took place, or who else was present for the conversation.

[REDACTED]

DCFS responded to the family home after the [REDACTED] death of the 3 year-old child, [REDACTED] took custody of the [REDACTED] surviving children. The youngest child was 1 year-old and the oldest child was 14 years-old. At the time the children were removed from the home, no diapers or clothing were obtained for any of the kids. When the children arrived at the Child Advocacy Center (CAC), the 3 year-old did not have shoes. While at the CAC, [REDACTED] refused to change the 1 year-old child's diaper, and one of the CAC staff had to do so. Prior to the interviews, [REDACTED] refused to sign consents to have the children interviewed and [REDACTED] had to sign the consents. Further, when it was time for the kids to leave, [REDACTED] refused to pick up the 3 year-old to carry her the car since as there had been previous reports of bed bugs in the home and made her walk across the parking lot in her socks, while [REDACTED] carried the 1 year-old.

[REDACTED] reasonable effort report did not include any of the necessary facts to support probable cause and no facts in support of "reasonable efforts." When [REDACTED] and [REDACTED] were contacted by the assistant state's attorney handling the case regarding the insufficient report, [REDACTED] responded, to paraphrase, that "he did not work over the weekend." Further, when questioned about not personally going to inspect the home for his report, he stated that it was a crime scene. However, when questioned if he asked law enforcement if it would be possible to enter the home, he said that he never did as it would have been the weekend.

It is our goal to facilitate a dialog with the DCFS to improve the manner in which cases are investigated and prosecuted. I look forward to your response on how this can more productively occur. I can be reached by email at pdkenneally@co.mchenry.il.us or phone at (815) 334-4159.

Sincerely,



Patrick D. Kenneally

PDK/cbg